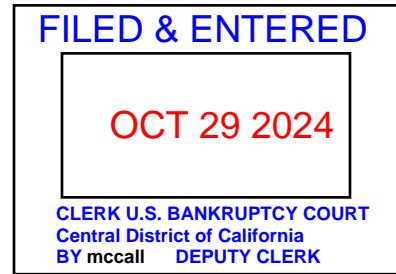


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7 REY MOBILE HOME ESTATES



8 UNITED STATES BANKRUPTCY COURT

9 CENTRAL DISTRICT OF CALIFORNIA – SANTA ANA DIVISION

10 In re
11 JAMIE LYNN GALLIAN,
12 Debtor.

Case No. 8:21-bk-11710-SC

Chapter 7

ORDER DENYING DEBTOR’S MOTION TO
CONVERT CASE UNDER 11 U.S.C. §§ 706(a)
OR 1112(a)

[NO HEARING SET]

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19 On September 10, 2024, Jamie Lynn Gallian (“Debtor”) filed a “Motion to Convert Case
20 Under 11 U.S.C. §§ 706(a) or 1112(a)” (“Motion to Convert”). Docket No. 438; *see also* Docket
21 No. 439 (“Notice of Motion and Motion to Convert Debtor’s Chapter 7 to Chapter 13; Declaration
22 of Jamie Lynn Gallian in Support if [sic] Debtors [sic] Request to Convert Chapter 7 to Chapter 13;
23 Memorandum [sic] Points & Authorities”).

24 Local Bankruptcy Rule 1017-1(a)(4) requires a request for conversion under Section 706(a)
25 to a case under Chapter 13 to be done by motion which, unless otherwise ordered by the Court, may
26 be granted “only after notice of the opportunity to request a hearing . . . as provided in LBR 9013-
27 1(o).”
28

1 On September 23, 2024, Houser Bros. Co. dba Rancho Del Rey Mobile Home Estates
2 (“Houser Bros.”) filed an “Opposition to Debtor’s Motion to Convert Case Under 11 U.S.C.
3 § 706(a)” (“Opposition”). Docket No. 449. On September 24, 2024, the Chapter 7 Trustee filed a
4 joinder in the Opposition. Houser Bros.’s Opposition included an express request for hearing on the
5 Motion pursuant to Local Bankruptcy Rule 9013-1(o)(1)(A)(ii). *Id.* at 1, 4.

6 Local Bankruptcy Rule 9013-1(o)(4) provides as follows:

7 If a timely response and request for hearing is filed and served, within 14 days from
8 the date of service of the response and request for hearing the moving party must
9 schedule and give not less than 14 days notice of a hearing to those responding and to
the United States trustee. If movant fails to obtain a hearing date, the court may deny
the motion without prejudice, without further notice or hearing.


10 Debtor was required to schedule and give notice of a hearing on her Motion to Convert on or
11 before October 7, 2024. To date, the Debtor has not scheduled or given notice of any hearing. On
12 October 22, 2024, Houser Bros. filed a “Declaration of D. Edward Hays Re: Request for Hearing on
13 Debtor’s Motion to Convert Case under 11 U.S.C. §§ 706(a) or 1112(a).”

14 As such, the Court enters its order as follows:

15 IT IS ORDERED that the Motion to Convert is denied.

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23 Date: October 29, 2024


Scott C. Clarkson
United States Bankruptcy Judge